

---

CHRISTOPHER E. REESE

REGISTER NO. 17878-083

F.C.I. FORT DIX (WEST-5811)

P.O. BOX 2000

JOINT BASE MDL, NEW JERSEY 08640

---

FEBRUARY 23, 2016

CLERK OF THE COURT

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

40 FOLEY SQUARE

NEW YORK, NEW YORK 10007

Re: United States v. Christopher E. Reese, Docket No. 12 Cr. 629 (VM)(SDNY)

Christopher E. Reese v. United States, Docket No. 16 Civ. 664 (VM)(SDNY)

Dear Sir/Madam:

I am respectfully submitting this letter to address concerns about the manner in which Senior U.S. District Judge Victor Marrero has handled the motion to vacate the sentence [28 U.S.C. 2255](annexed hereto), and the Notice of Appeal (annexed hereto) filed following the Judge's handling of the section 2255 motion. I also request that this letter be deemed a Notice of Appeal and a request for remand and reassignment of the case to another district court judge, for further proceedings. For the reasons that follow, this application should be granted.

By way of relevant background, I moved to vacate my sentence on the ground that my former attorney failed to accurately convey to proposed plea offers that were transmitted to him by the Government, and that he failed to timely convey the offers to me -- waiting (literally) until minutes before the plea offers were to expire before he would ever mention the plea offers, and then failing to furnish a copy of the plea offers upon me and inaccurately conveying the terms of the agreement. I provided, in support of my claims, a copy of emails between counsel and

the Government, and the Government and the U.S. Marshals, which unequivocally substantiate my claims as to counsel's deliberate delay in conveying the offers. I also provided a sworn statement concerning counsel's failure to accurately convey the terms of the plea offers, which is corroborated by presentencing submissions. Notwithstanding this evidentiary support for my collateral attack, Judge Marrero ignored the ineffective assistance of counsel claim and (without a hearing, or even requiring a response from the Government to this incontrovertible claim) summarily denied the motion on January 29, 2016 -- contrary to binding Second Circuit precedent and his Honor's oath of office.

By letter motion for reconsideration dated February 2, 2016 (annexed hereto), what appeared at first to be an innocent oversight on Judge Marrero's part was brought to Judge Marrero's attention. However, Judge Marrero has ignored the submission and has not even directed that it be docketed, despite proof that it was received by Chambers. (Annexed hereto) A Notice of Appeal was subsequently forwarded, and received by chambers. That, too, however, has not been docketed.

In view of the foregoing, supervisory intervention is both appropriate and warranted. Accordingly, I am hereby respectfully requesting that this letter be addressed in the manner most appropriate and that immediate action be taken to ensure my constitutional rights -- including my right to seek redress in the lower court free from improper judicial animus.

Your immediate attention and assistance will be greatly, and most sincerely appreciated.

Respectfully submitted,

/s/ Christopher E. Reese

---

CHRISTOPHER E. REESE

cc: The Honorable Victor Marrero

Senior U.S. District Judge

United States District Court

Southern District of New York

40 Centre Street

New York, New York 10007

Micah William Janso Smith, AUSA

U.S. Attorneys Office

Southern District of New York

One Saint Andrew's Plaza

New York, New York 10007

Judicial Watch (w/encl/)